

**CLARKSBURG URBAN RENEWAL AUTHORITY  
POLICY AND GUIDELINES – SIDE LOT PROGRAM 1<sup>st</sup> AMENDMENT  
CITY OF CLARKSBURG, HARRISON COUNTY, WV**

June 8, 2023

A. Introduction

Residential properties in the City of Clarksburg that are or have experienced blight or other dilapidated facilities, may be unsalvageable. Structures that are unsalvageable are demolished, often by the City of Clarksburg, WV, with most costs never being recovered. This issue is exasperated when the property, having been cleared, is either not developed and left in a vacant state, or sold at tax sale. Those properties that are not developed will still require site maintenance for issues such as grass, trash, and potential utilities. The cost and burden of maintenance for these properties often becomes a public expense, with Public Works crews having to maintain a property, and fees associated with maintenance never being fully recouped by the City of Clarksburg. Properties sold at tax sale result in all liens for demolitions being removed by a quit claim deed. Observation data indicate that some properties are cycled through tax sales intentionally.

To facilitate active use of vacant property within the City of Clarksburg, The Clarksburg Urban Renewal Authority (the “URA”) considers it necessary to adopt a policy and guidelines for facilitating private property transfers between neighbors (the “Side Lot Program”). The Side Lot Program will provide real property acquisition and transfer assistance to any property owners within the municipal limit of the City of Clarksburg, WV, as provided by the Urban Renewal Plan for Demolition of Dilapidated Residential Structures project area (the “Designated Area”).

B. Program Purpose

This program is intended to provide a method for transferring undeveloped properties (the “Subject Property”) to adjacent property owners. Undeveloped properties that are underutilized or have revolving property tax delinquencies do not adequately provide to the city and county’s tax base. The goal of this program will be for subject property lands which may or may not have existing liens, public maintenance nuisances, and/or of limited to no development potential to be consolidated with neighboring parcels and placed into some form of active use. Over time, these lands which were unproductive and contributed to urban decline, will allow for the public to recoup investments through traditional property taxes.

C. Participant Eligibility

1. Current Subject Property Owner/s: Any person/s, irrespective of race, color, religion, age, national origin, or sex, and any corporation, partnership, limited liability company, or other legal entity may be eligible to participate in the Program, if:
  - a. Abutting property owners are identified to obtain the property.
  - b. The Subject Property is donated to the URA or transferred via other means.

2. Abutting Property Owner/s: Any person/s, irrespective of race, color, religion, age, national origin, or sex, and any corporation, partnership, limited liability company, or other legal entity may be eligible to participate in the Program, if:
  - a. The receiving property is not currently condemned, vacant, or otherwise not in compliance with Ordinances of the City of Clarksburg, WV.
  - b. The abutting property owner seeking to receive the subject property does not have outstanding City of Clarksburg, liens, fines, or unpaid accounts that have not been reconciled.
  - c. The receiving property will include a principal structure.

#### D. Eligible Properties

Those parcels of land situated in the Designated Area which have been legally transferred to the URA as Subject Properties are eligible for participation in the Program as are those parcels of land situated in the Designated Area which abut Subject Properties.

Nothing in this policy shall limit the ability of the URA to obtain and utilize property in accordance with West Virginia State Code §16-18-5.

#### E. Application Process

1. Program applications shall be submitted to the Office of the Director of Economic Development on a form to be provided by the URA which may include, but shall not be limited to, the location of the property to be transferred, the location of the property to receive the real property being transferred, and ownership information. City of Clarksburg staff will provide the necessary assistance and Program administration for the URA.
2. All Side Lot Program applications submitted shall be reviewed by the Executive Director of the URA or their designee, for compliance with Program requirements. The Executive Director of the URA or their designee, will provide a written recommendation on each application to the URA.
3. The URA will also evaluate each grant application and will advise the applicant of its decision on the application. The URA reserves the right to approve or disapprove each application.

#### F. Administration

1. The Program will be administered on behalf of the URA by the Economic Development Director acting in their capacity as the Executive Director of the URA or their designee.
2. The City of Clarksburg staff will prepare an application and other forms to be approved by the URA and utilized in the Program.

3. Upon receipt of an application, the City of Clarksburg staff will review the property information, which is subject of the application.
4. Evidence of an applicant's ability to participate in the Program must be provided to the URA prior to approval of an application.
5. City of Clarksburg staff will solicit at least three requests for quote (RFQs) on a form to be prepared by City of Clarksburg staff, to qualified property appraisal firms with offices located within 100-miles of the City of Clarksburg's corporate limits.
6. Upon receipt of RFQs, staff will inform the applicant of results and coordinate on the completion of an appraisal from a qualified property appraisal firm.
7. Upon receipt of the property appraisal, City of Clarksburg staff will schedule the side lot application on the next available regularly scheduled Urban Renewal Authority (URA) meeting.
8. After the URA has reviewed and approved an application, a quit claim deed shall be prepared by the URA attorney and supplied to the applicant for the transfer of property from the URA to the applicant/s.
9. In the event a minor subdivision is required to transfer the property between multiple owners, said owners shall prepare all necessary applications to the Planning Commission and complete property recordation via stamped survey plat with metes and bounds description or other Harrison County Clerk requirements.

#### G. General

The URA may amend these guidelines from time to time as determined by the URA.